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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/306,684	05/06/99	LARSSON	A 34650-00428

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EXAMINER

LUU, A

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/306,684

Applicant(s)
Larson et al.

Examiner
An T. Luu

Group Art Unit
2816



☒ Responsive to communication(s) filed on May 6, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-14 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on May 6, 1999 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The drawings are objected to because Figures 1-4 are not designated by a legend such as --Prior Art--. The legend is necessary in order to clarify what applicant's invention is. See MPEP § 608.02(g). Correction is required.

Claim Rejections - 35 USC § 112

2. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "second data received by said input prior to said first data", 5-6 of claim 1 is unclear since "said input" is recited to receive "first data", line 3. Does it mean "first data" and "second data" refer to the same signal? Further, the phrase "prior to said first data" makes no sense within the context claim 1.

The term "substantially the same phase", line 9 and "at least slightly skewed", lines 10-11, claim 1 are relative terms which render the claim indefinite. The terms "substantially" and "slightly" are not defined by the claim, the specification does not

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provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is noted that signals having the same phase cannot be considered as "skewed".

Claims 7 and 12 are rejected for similar reasons set forth above.

The rest of claims is rendered indefinite by the deficiencies of the independent claims noted above.

Claim Rejections - 35 USC § 102

3. Claims 1-2, 7-8 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by the Hanawa et al. reference (U.S. Patent 4,745,302).

The Hanawa et al. reference discloses in figure 2 an apparatus comprising a first flip flop (FF) 102 being control by a first clock signal O1 for receiving a first data 110; a combinational logic (103, 104) connected to the first FF for receiving the data from the first FF; and a second FF 105, being controlled by a second clock signal O2 having an input connected to the combinational logic for receiving the data from the combinational logic and an output for transmitting the data as recited in claims 1-2 and 7-8.

As to claims 12-13, they are rejected as being directed to the method or/and steps derived from the apparatus described in claims above.

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Allowable Subject Matter

4. Claims 3-6, 9-11 and 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to disclose an apparatus and method thereof comprising of flip-flop having a specific structure as recited in claims 3, 9 and 14.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication should be directed to An T. Luu whose phone number is (703)-308-4922 and facsimile number is (703)-308-7722.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reach on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

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Any inquiry of a general nature or relating to the status of this application should be directed to group receptionist at (703)-308-0956.

An T. Luu *ATL*

May 30, 2000



TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
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